US ERA ARCHIVE DOCUMENT

## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION VII 901 NORTH 5<sup>TH</sup> STREET KANSAS CITY, KANSAS 66101

In the Matter of:	)
THE DOE RUN RESOURCES CORPORATION Herculaneum, Missouri	) ) ) )
Respondent.	) ) Docket No. RCRA-7-2000-0018 ) CERCLA-7-2000-0029
Proceedings under Section 7003 of	)
the Resource Conservation and	)
Recovery Act as amended, 42 U.S.C.	
Section 6973; Sections 104, 106,	) ADMINISTRATIVE ORDER
107, 122 of the Comprehensive Environmental Response Compensation	ON CONSENT
and Liability Act, as amended, 42	)
U.S.C. § § 9604, 9606, 9607, and	)
9622 and Section 260.530 RSMo.	)
	_)

## FIRST MODIFICATION TO ADMINISTRATIVE ORDER ON CONSENT

The Parties hereby agree to replace paragraphs 88 and 145 of the Administrative Order on Consent (Order) to read as set forth below.

88. Within thirty (30 days) after the effective date of the Order, Respondent shall pay \$25,013.04, in the manner detailed below, for reimbursement of past response costs paid by the United States. For purposes of this Order, "response costs" do not include the past or future costs incurred by the Federal and State Natural Resource Trustees with respect to this Site. Past Response Costs are all costs, including, but not limited to, direct and indirect costs and interest, that the United States, its employees, agents, contractors, consultants, and other authorized representatives incurred and paid with regard to the Site prior to September 1, 2000, other than costs incurred by the Federal and State Natural Resource Trustees. In addition, Respondent shall reimburse EPA for all Future Response Costs, not inconsistent with the NCP, incurred by the United States with respect to this Consent Order.

## FINALIZATION OF SETTLEMENT, EFFECTIVE DATE AND COMPUTATION OF TIME

145. After the conclusion of the public comment/participation period and any response thereto in accordance with Section XXVI. of the Order, a letter finalizing this settlement shall be mailed to Respondent by certified mail. The effective date of this Order shall then become the date of receipt of this letter by Respondent, as evidenced by the date on the certified mail return receipt. All times for performance of ordered activities shall be calculated from this effective date.

All other terms and provisions of the Order shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have aff	fixed their signatures below:
For the United States Environmental Protection	n Agency, Region VII:
Julie Murray Assistant Regional Counsel U.S. Environmental Protection Agency Region VII	Date
For The Missouri Department of Natural Resor	urces:
John A. Young Director, Environmental Quality Missouri Department of Natural Resources	Date
Shelley A. Woods Assistant Attorney General Office of the Attorney General of Missouri For The Doe Run Resources Corporation:	Date
Jeffrey L. Zelms Vice Chairman, President and Chief Executive Officer	Date

The Doe Run Resources Corporation

IT IS SO ORDERED.		
Dennis Grams	Date	
Regional Administrator		
U.S. Environmental Protection Agency		
Region VII		